

**Spencer Town Council Regular Meeting
May 5, 2014 at 7p.m
Municipal Building
90 N. West Street
Spencer, IN 47460**

Board Members present: Cynthia Hyde, Jon Stantz, and Dean Bruce

Also present: Clerk-Treasurer Cheryl Moke, Attorney Richard Lorenz, Sewer Superintendent John Hodge, Street Superintendent Larry Parrish, Deputy Marshals, Stevens and Workman

MEETING WAS OPENED WITH THE PLEDGE TO THE AMERICAN FLAG

IN THE MATTER OF APPROVAL OF MINUTES FOR April 21, 2014 REGULAR MEETING

Jon Stantz made a motion to accept the minutes as presented, seconded by Dean Bruce and passed 3-0.

IN THE MATTER OF PUBLIC ISSUES

Cynthia Hyde presented Proclamation 2014-4, proclaiming that the week of May 5-9, 2014 as **CHAMBER OF COMMERCE WEEK** in Spencer and call its significance to the citizens of the Town of Spencer.

Dean Bruce made a motion to approve the aforementioned proclamation. It was seconded and approved.

Becky Schrock was on hand to request approval of an event registration on behalf of the Owen County Art Guild. The event, "Commotion in the Commons" is to be held on May 17th, at the west end of Cooper Park. They are requesting the closing of Cooper Street from Montgomery to West. The event is to take place from 10am to 4pm.

Dean Bruce made a motion to approve the Event Registration as presented. Motion was seconded and passed.

Next item on the agenda, Karen and Tommy Winders were on hand to discuss a noise issue because of Demil Indiana operating at the old Rostone building. His main complaints were noise, traffic from the trucks, and the start time, which he approximated at 6:15a.m. He also presented some complaints from others in the neighborhood which included in addition to noise and early start times, unsightliness, air pollution and possible contamination. He also cited that many individuals he spoke to, had applied for jobs, but never got call backed. He wondered how many jobs were filled by Owen County residents.

Next, Cynthia Hyde responded to to Mr. Winders. She said there is a complaint form available for anyone who wants to make a formal complaint. Someone in the police department then takes that complaint and follows up on it. She said she had written statements from the Police regarding this issue and said they had noted, in particular, the truck route incidence. She did add, that all the concerns were valid concerns, but the Town has no control over what the company does with the building because they have in place, all valid permits from the EPA, State, and IDEM. Even though the company has the right to continue its operation, they will work towards getting all valid complaints resolved.

Mark Gates, Operations Manager for Demil Indiana was on hand to address these issues. He first stated that all 19 individuals who were hired, were hired from Owen County. Next, he addressed the traffic issue at 6 a.m., he addressed it the following day. He talked to Mr. Winders, and said he would back up the drivers until 7 a.m. and end at 5p.m. There are a few days they have had overtime. He next addressed the issue of the fence, and said they were working on that issue to be completed by the end of the week. As far as the traffic pattern being used, he said all truck drivers have been instructed to approach the building by turning at Fairview and coming straight in, however, these trucks use GPS, which instructs them to turn onto Franklin. The drivers are not employees, but he will continue to work with them to alleviate this problem, and apologized for it. He said they are being inspected by IDEM and the EPA, and are in compliance with all rules and regulations. He also said they plan on starting a second shift, but will probably hold off until some of these issues are resolved. He also stated he was unaware of anyone "cowboying" with the vehicles, but will stop it tomorrow.

Richard Lorenz asked about environmental issues with the vehicles. Mr. Gates said that the vehicles are sanitized at a base, prior to coming to be disassembled.

Discussion followed, and Cynthia Hyde asked if there was anyone else who would like to address the issue. Don Kivett asked if there was a number he could contact directly with Demil Indiana. Mr.

Gates provided office and personal cell numbers. Other individuals brought up issues about why the town did not keep out the business to begin with. The Board reiterated they could not keep out a business if they were in compliance with all rules and regulations, and if they are in compliance with all Town regulations, there is nothing that can be done.

Richard Lorenz stated he has a list of people in the same residence that are opposed to shutting down the business. Discussion continued for a while longer. Cynthia requested once again for all complaints to be addressed in writing, and they would review them, and resolve them, but cautioned the resolution would be somewhere in the middle, and not everyone could be satisfied.

Mr. Gates offered to go talk to the manager at senior citizens residence and try to set up a meeting to discuss.

Angela Stoner with ABATE requested approval for an event registration for May 24th at Coopers Park Shelter House. Registration will be from 11:30a.m. to 1:00p.m. Cynthia advised her to fill out the Event Registration form, and return it to the Town so we will have it on file. The event will be approved at the next meeting.

Fred Dorsett requested that the Street Department take a look at a tree located on Jefferson Street by the Christian Life Center. Larry said the tree was not in very good shape, and he would take care of it himself.

IN THE MATTER OF THE ECONOMIC DEVELOPMENT

Gwen Tucker was present to introduce herself to the Board and give a synopsis of what she has been working on in the last few months.

IN THE MATTER OF THE POLICE DEPARTMENT

Marty Workman was present and said he had nothing to report.

IN THE MATTER OF THE STREET DEPARTMENT

Larry Parrish reported on his department. He stated that the County has installed gates on the dump, and posted a sign for County employees only. He also will continue to use it for brush he picks up around Town.

He reported on some excess equipment that he would like to declare surplus. He was advised to make a list of this equipment including serial numbers, and present at the next meeting.

IN THE MATTER OF THE SEWER DEPARTMENT

John Hodge reported on the plant and maintenance. He reported that a quote for installing a new influent flow transmitter in the amount of \$4,597.00 actually ended up being more. The revised amount is \$5,156, and the reason for the increase was because they discovered that some additional wiring had to be replaced from the transmitter back to the meter at the time of installation. The original quote was for the cost of the transmitter only. He was advised he could approve this difference on his own.

He discussed a problem where there is a sinkhole in an alley which causes a washout whenever it rains. Cynthia asked if he could make a recommendation at the next meeting. He also is getting a recommendation and quote from Instituform for the two problem areas on Harrison Street.

IN THE MATTER OF THE ATTORNEY

Mr. Lorenz reported conversations that he had with Ms. Winders, and expressed concern that no matter what happens, there will probably not be a suitable resolution, because of their level of understanding of the jurisdiction and what the town can get accomplished. He stated he will continue to work with all parties involved.

Next, Mr. Lorenz presented an addendum to the AME Operational Cost Control Program Agreement between AME and the Town of Spencer for confidentiality.

Dean Bruce made a motion to approve the addendum in regard to confidentiality, it was seconded and passed.

Mr. Lorenz presented an agreement between Owen County Fair Association and the Town of Spencer regarding the two lots 52 and 3, one on Harrison Street, and one on East Street to the Fair Board for maintenance, and to be used during Fair Week for additional parking.

Jon Stantz motioned to sign the agreement for the properties usage and maintenance as presented above. Motion was seconded and passed.

IN THE MATTER OF NEW BUSINESS

Jon Stantz reported that he talked to Wetzel, from HWC, and the Safe Routes to School is now a match, not a completely paid program. Also, they will try to get the next stretch to go from where we stopped off on Hillside and complete it all the way to 46.

Final invoice in the amount of \$3,281.25 for the design of the lighting project from GRW was presented for approval.

Dean Bruce made a motion to approve the invoice, seconded and passed 3-0.

Cynthia said she will have the resolution for submission for the Main Street Planning Grant by June.

IN THE MATTER OF CLAIMS

Claims were presented for approval.

Dean Bruce made a motion to approve the claims as presented. It was seconded and passed 3-0.

IN THE MATTER OF ADJOURNMENT

Dean Bruce motioned to adjourn at 8:54 p.m.

Cynthia Hyde, President

Jon Stantz, Vice-President

Dean Bruce, Board Member

Attest:_____
Cheryl Moke, Clerk-Treasurer